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# B I L L

INTITLED

An Act for enabling Her Majesty to accept a Surrender upon Terms of the Lands, Privileges, and Rights of "The Governor and Company of " Adventurers of England trading into Hudson's " Bay," and for admitting the same into the Dominion of Canada.

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[Note.—The Words printed in Red Ink are proposed to be inserted in Committee.]

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WHEREAS by certain Letters Patent granted by His late Recital of  
Majesty King Charles the Second, in the Twenty-second  
Year of his Reign, certain Persons therein named were  
incorporated by the Name of "The Governor and Company of  
5 Adventurers of England trading into Hudson's Bay," and certain  
Lands and Territories, Rights of Government, and other Rights,  
Privileges, Liberties, Franchises, Powers, and Authorities, were  
thereby granted or purported to be granted to the said Governor  
and Company in His Majesty's Dominions in North America:

10 And whereas by the British North America Act, 1867, it was  
(amongst other things) enacted that it should be lawful for Her  
Majesty, by and with the Advice of Her Majesty's most Honourable  
Privy Council, on Address from the Houses of the Parliament  
of Canada to admit Rupert's Land and the North-western Territory,  
[Bill 240.] or

or either of them, into the Union on such Terms and Conditions as are in the Address expressed and as Her Majesty thinks fit to approve, subject to the Provisions of the said Act:

Recital of  
Agreement  
of Surrender.

And whereas for the Purpose of carrying into effect the Provisions of the said British North America Act, 1867, and of admitting 5 Rupert's Land into the said Dominion as aforesaid upon such Terms as Her Majesty thinks fit to approve, it is expedient that the said Lands, Territories, Rights, Privileges, Liberties, Franchises, Powers, and Authorities, so far as the same have been lawfully granted to the said Company, should be surrendered to Her 10 Majesty, Her Heirs and Successors, upon such Terms and Conditions as may be agreed upon by and between Her Majesty and the said Governor and Company as herein-after mentioned:

Be it therefore enacted by the Queen's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and 15 Temporal, and Commons, in the present Parliament assembled, and by the Authority of the same, as follows:

Title of Act.

1. This Act may be cited as "Rupert's Land Act, 1868."

Definition of  
"Rupert's  
Land."

2. For the Purposes of this Act the Term "Rupert's Land" shall include the whole of the Lands and Territories held or claimed 20 to be held by the said Governor and Company.

Power to  
Her Majesty  
to accept  
Surrender  
of Lands, &c.  
of the Com-  
pany upon  
Terms.

3. It shall be competent for the said Governor and Company to surrender to Her Majesty, and for Her Majesty by any Instrument under Her Sign Manual and Signet to accept a Surrender of all or any of the Lands, Territories, Rights, Privileges, Liberties, Franchises, 25 Powers, and Authorities whatsoever granted or purported to be granted by the said Letters Patent to the said Governor and Company within Rupert's Land, upon such Terms and Conditions as shall be agreed upon by and between Her Majesty and the said Governor and Company; provided, however, that such Surrender shall not be 30 accepted by Her Majesty until the Terms and Conditions upon which Rupert's Land shall be admitted into the said Dominion of Canada shall have been approved of by Her Majesty, and embodied in an Address to Her Majesty from both the Houses of the Parliament of Canada in pursuance of the One hundred and forty-sixth 35 Section of the British North America Act, 1867; and that the said Surrender and Acceptance thereof shall be null and void unless within a Month from the Date of such Acceptance Her Majesty does by Order in Council under the Provisions of the said last-recited Act admit Rupert's Land into the said Dominion; provided, 40 further, that no Charge shall be imposed by such Terms upon the Consolidated Fund of the United Kingdom.

4. Upon

4. Upon the Acceptance by Her Majesty of such Surrender all ~~Extinguishment of all Rights of the Company.~~ Rights of Government and Proprietary Rights, and all other Privileges, Liberties, Franchises, Powers, and Authorities whatsoever, granted or purported to be granted by the said Letters Patent

5 to the said Governor and Company within Rupert's Land, and which shall have been so surrendered, shall be absolutely extinguished; provided, that nothing herein contained shall prevent the said Governor and Company from continuing to carry on in Rupert's Land or elsewhere Trade and Commerce.

10 5. It shall be competent to Her Majesty by any such Order or Orders in Council as aforesaid, on Address from the Houses of the Parliament of Canada, to declare that Rupert's Land shall, from a Date to be therein mentioned, be admitted into and become Part of the Dominion of Canada; and thereupon it shall be lawful for

15 the Parliament of Canada from the Date aforesaid to make, ordain, and establish within the Land and Territory so admitted as aforesaid, all such Laws, Institutions, and Ordinances, and to constitute such Courts and Officers as may be necessary for the Peace, Order, and good Government of Her Majesty's Subjects and others therein:

20 Provided that, until otherwise enacted by the said Parliament of Canada, all the Powers, Authorities, and Jurisdiction of the several Courts of Justice now established in Rupert's Land, and of the several Officers thereof, and of all Magistrates and Justices now acting within the said Limits, shall continue in full Force and

25 Effect therein.

Power to  
Her Majesty  
to admit  
Rupert's  
Land into  
the Domi-  
nation of  
Canada.

Jurisdiction  
of present  
Courts and  
Officers con-  
tinued.



# Hudson's Bay Company.

[H.L.]

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*(Brought from the Lords 16 July 1868.)*

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*Ordered, by The House of Commons, to be Printed,*  
*16 July 1868.*

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[Bill 240.]

*Under 1 oz.*